

MINUTES

ALCOHOL AND TOBACCO COMMISSION

JANUARY 18, 2011

CALL TO ORDER/NOTING OF QUORUM

Chairman Massa called the meeting to order and noted the quorum and the attendance. Present were Vice Chairman Johnson, Commissioner Sturtz and Commissioner Guthrie. Executive Secretary Dunsmore and Superintendent Huskey were also in attendance.

Ron Breymier, Debbie Rolfson, Connie Vickery, Jeff McKean, and Mark Webb were present as observers.

DISPOSITION OF MINUTES

Commissioner Sturtz moved to approve the minutes that were submitted for the January 4, 2011 meeting. Commissioner Guthrie seconded. The motion was unanimously approved.

HEARING JUDGE'S RECOMMENDATIONS

PARTIES' AGREED DISPOSITIONS – Vice Chairman Johnson moved to approve the parties' agreed dispositions that were submitted for the January 18, 2011 meeting. Commissioner Sturtz seconded. The motion was unanimously approved.

CONSIDERATION OF APPLICATIONS

Commissioner Sturtz moved to approve and incorporate by reference these lists of permits for renewal, which have been recommended by local boards and reviewed by our staff with the authority of the Commission. Commissioner Guthrie seconded. The motion was unanimously approved.

Commissioner Sturtz moved to approve and incorporate by reference these lists of permit applications for a new permit, which includes the tabled applications, or applications for changes in location or ownership or both of existing permits, which have been recommended by local boards and reviewed by at least two Commissioners. Vice Chairman Johnson seconded. The motion was unanimously approved.

Commissioner Sturtz moved to approve and incorporate by reference these lists of permit applications for catering. Commissioner Guthrie seconded. The motion was unanimously approved.

Commissioner Sturtz moved to approve and incorporate by reference these lists of permits to be placed in escrow for not more than five years, which have been reviewed and recommended by a Commissioner as appropriate for escrow. Vice Chairman Johnson seconded. The motion was unanimously approved.

Three hundred sixty-three (363) permits approved for renewal, fifty (50) new and/or transfer permits approved, three (3) permits approved for catering, five (5) permits approved for first year escrow, two

(2) permits approved for second year escrow, four (4) permits approved for third year escrow, two (2) permits approved for fourth year escrow, and one (1) permit approved for fifth year escrow.

RENEWAL LETTERS AND WAIVER OF FEES

Vice Chairman Johnson moved to approve the renewal letters and the waiver of fees for letters of extension for the preceding weeks. Commissioner Sturtz seconded. The motion was unanimously approved.

APPLICATIONS FOR DISCUSSION

DL22-27451 SAV-A STEP FOOD MARTS, INC. - Commissioner Guthrie noted this is a new type 115 application with the local board voting four (4) to zero (0) to approve.

Commissioner Guthrie moved to approve the new permit. Commissioner Sturtz seconded. The motion was unanimously approved.

DL06-04535 AND DL06-05706 JOHN CUNNINGHAM – Commissioner Guthrie stated transfers of ownership were filed on these permits. The applicant failed to appear at three local board meetings regarding the transfers. The local board recommended denial of the transfers and the Commission upheld that recommendation. Commissioner Guthrie noted that notice was sent to the applicant regarding the appeal process. No appeal was filed. The Commissioner said the applicant submitted paperwork to the Commission that showed he had been ill and was in the hospital during the appeal time, and was not able to respond.

Commissioner Guthrie moved to remand these applications to the local board, provided that all fees are paid and/or paperwork necessary is filed for the transfers. Vice Chairman Johnson seconded. The motion was unanimously approved.

INACTIVE FILES

INACTIVE FILES- Vice Chairman Johnson moved to make eight (8) permits inactive and not subject to auction. Commissioner Guthrie seconded. The motion was unanimously approved.

OLD BUSINESS

No Old Business

NEW BUSINESS

No New Business

POLICY DETERMINATIONS

No Policy Determinations

ANNOUNCEMENTS

No Announcements

ADJOURNMENT

Commissioner Sturtz moved to adjourn the meeting. Commissioner Guthrie seconded. The motion was unanimously approved.

Approved this _____ day of _____, 2011.

MARK S. MASSA, CHAIRMAN

DAVID JOHNSON, VICE CHAIR

DALE STURTZ, COMMISSIONER

FRANK GUTHRIE, COMMISSIONER